IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1126 OF 2006

IN

SUIT NO.3461 OF 2004.

Prashant Sawant ...Plaintiff

V/s.

Tata Iron & Steel Co.Ltd. & Ors. ...Defendants.

Mr.D.S.Chandwani i/b. M/s.Lexim Associate for the plaintiff.

CORAM : S.J. VAZIFDAR J.

DATE : 16TH JULY, 2007.

P.C. :-

1. This is a usual suit for a declaration that the plaintiffs are the owners of the suit shares having purchased the same from defendant nos. 4 to 42. The defendant no.1 is the company and defendant no. 3 is a broker.

2. The plaintiff has alleged that he purchased shares of defendant no. 1 from defendant no.3 on the Bombay Stock Exchange. In respect thereof the usual bill was issued by defendant no.3. Defendant no. 3 also issued the relevant transfer deeds. The shares were lodged by the plaintiff with defendant no.2, the share transfer agent of defendant no.1. Defendant no.2 returned the same with the objection that the signatures did not tally.

3. No affidavits in reply have been filed to date. In the circumstances, the Notice of Motion is made absolute in terms of prayer (b). It is clarified that the order shall take effect as of date. It shall not affect anything that may have already been done.